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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,752	05/24/2001	Robert S. Sielken	RSW920010095US1	1924

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EXAMINER
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NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/864,752

Applicant(s)

SIELKEN, ROBERT S.

Examiner

Nhon (Gary) D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09092004
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steele et al. ("Steele", US 2002/0091700 A1) in view of Official Notice.

As per claims 1, 10, 11, 17, 18, 19, 28, 29, 35, 44, and 45, Steele teaches a computer implemented method and corresponding system for ordering elements within a set of elements in a list comprising the steps/means:

presenting the set of elements in a list format in a graphical user; waiting for a first user input selecting an element within the set of elements (fig. 9B; page 7, [0111]);

responsive to detecting the first user input, monitoring for a second user input, indicating a movement of the element within the set of elements; and responsive to detecting the second user input, automatically ordering the element within the set of elements based on the second user input (fig. 20; page 9, [0128]).

Steele, as above, teaches selecting an element for ordering within the set of elements. Steele, however, does not explicitly disclose selecting multiple elements for ordering within the set of elements. The Examiner takes Official Notice that selecting more than one element within a set of elements is well known in computer art. It would have been obvious to an artisan at the

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time of the invention to apply the multiple-selection feature in Steele's system in order to select more than one element for ordering within the set of elements since it would help to make the process of ordering elements faster.

As per claims 2, 14, 20, 32, 36, and 48, Steele in view of Official Notice teaches the second user input causes the elements to be ordered by moving each element in the elements in a first direction within the set of elements list by a selected number of locations (fig. 20; page 9, [0128]; *Move Up*).

As per claims 3, 21, and 37, Steele in view of Official Notice teaches the second user input causes the elements to be ordered by moving each element in the elements in a second direction within the set of elements by a selected number of locations (fig. 20; page 9, [0128]; *Move Down*).

As per claims 4, 15, 22, 33, 38, and 49, Steele in view of Official Notice teaches the second user input causes the elements to be ordered by moving the elements to a first end of the list (fig. 20; page 9, [0128]; *Move First*).

As per claims 5, 16, 23, 34, 39, and 50, Steele in view of Official Notice teaches the second user input causes the elements be ordered by moving the elements to a second end of the list (fig. 20; page 9, [0128]; *Move Last*).

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As per claims 6, 7, 13, 24, 25, 31, 40, 41, and 47, Steele in view of Official Notice teaches the second user input received by a selection of a control associated with the set of elements, wherein the control is a navigation button (*Move Up, Move Down, Move First, Move Last* as in fig. 20).

As per claims 8, 26, and 42, Steele in view of Official Notice teaches the second user input includes an identification of a direction in which the elements are to be moved and wherein the automatically ordering step comprises:

determining whether the elements can be moved in the direction identified by the second user input; and responsive to a determination that the elements can be moved the direction, moving each element in the set of elements in the direction (fig. 20; page 9, [0128]; *Move Up* and *Move Down*).

As per claims 9, 27, and 43, Steele in view of Official Notice teaches:

determining whether all the elements are to be moved to an end; and responsive to a determination that all the elements are to be moved, moving the elements to the end, wherein the elements are located together (fig. 20; page 9, [0128]; *Move First* and *Move Last*).

As per claims 12, 30, and 46, Steele in view of Official Notice teaches displaying the ordered set of elements in a window (fig. 9B; page 7, [0111]).

### ***Conclusion***

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6487569 B1 to Lui, Charlton E. et al. discloses method and apparatus for organizing notes on a limited resource computing device.

US 5706449 A to Liu, Zhiqiang et al. discloses method and system for providing improved specification of multiple sort criteria in a graphical user interface.

US 5220675 A to Padawer, Andrew D. et al. discloses method and system for customizing a user interface in an integrated environment.

US 20010034559 A1 to Brown, David W. et al. discloses selection and control of motion data.

#### *Inquiries*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318 or (571)272-4139 (starting 10/20/2004). The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703)308-5186 or (571)272-4136 (starting 10/20/2004). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
September 9, 2004

  
BA HUYNH  
PRIMARY EXAMINER